

REMARKS

Initially, the Applicant notes the several amendments made to various paragraphs of the specification. The amendments correct clerical errors and do not add any new matter. The amendments include changing terminology in the specification to provide a consistent description of the elements set forth in the description; eliminating various numbers or letters from the specification with respect to elements not shown in the drawings; changing numbers of an element in the description to properly identify the element shown in the drawings; and adding a sentence regarding a element shown in the drawings but not previously discussed in the description. Again, as no new matter has been added, it is respectfully requested that these amendments to the specification be entered.

Turning to the Office Action, the Examiner has first rejected claim 5 under 35 U.S.C. 112, second paragraph, as being indefinite. Specifically, the Examiner has indicated that it is not clear what is encompassed by the two parts being “complementary” to each other. In reply, the Applicant has amended claim 5 to indicate that the two parts are flush with each other. It is believed that this amendment more particularly points out and distinctly claims the subject matter which the Applicant regards as his invention. Accordingly, entry of this amendment is respectfully requested.

Next, the Examiner has rejected claims 1-3 and 5-10 under 35 U.S.C. 103(a) on the basis of the Examiner taking Official Notice of various allegedly known information. First, the Examiner takes Official Notice that vegetation cutting machines have a mounting member, a head member with a passageway and an internal retaining clip in said passageway. Second, the Examiner takes Official Notice that it is known to assemble vegetation trimmers using a tab-and-aperture approach. Thus, based on only these two Official Notices, the Examiner asserts that it would have been obvious to one of ordinary skill in the art to have replaced the screw connection between the internal retaining clips and mounting members of known vegetation trimmers with a tab-and-aperture connection. Then, in addition to the above, the Examiner takes Official Notice that it is known for the resilient tab to be the interior member, in again asserting the same obviousness rejection.

Before replying, the Applicant would like to thank the Examiner for the courtesies extended to the undersigned attorney in a telephone conference with the Examiner on November 23, 2004. The telephone conference was initiated by the undersigned attorney in order to have the Examiner clarify his rejection. Based upon the telephone conference, the undersigned attorney understands from the Examiner that, rather than reject the claims over a myriad of combinations of prior art, the Examiner chose instead to reject the claims based upon Official Notice, citing several references as examples for the information to which Official Notice was taken.

However, to the extent the Examiner believes Official Notice has been properly taken, the Applicant respectfully disagrees and asserts that the Examiner's information is not well known and not proven. Accordingly, the Applicant respectfully requests that if the Examiner wishes to maintain this rejection based upon Official Notice, that he provide evidence in the form of specific references and/or his affidavit as to how he believes such information is well known.

The above notwithstanding, the Examiner did attempt to explain the rejections set forth in the Office Action during the telephone conference with the undersigned attorney. Specifically, it is the undersigned's understanding that the Examiner has rejected the claims on the basis that some of the prior art, e.g., Nakamura et al. '886, Dees Jr. et al '227 and Helmig et al. '071, show a mounting member, a head member with a passageway and a retaining clip in the passageway. However, as correctly noted by the Examiner, none of these references disclose resilient tabs on an internal retaining clip that engages apertures on the mounting member. Consequently, the Examiner asserts that other trimmers do use tab-and-aperture mechanisms, such as Araki et al. '787, Haupt '557 and Everts '607. Thus, the Examiner asserts that it would have been obvious to substitute the tab-and-aperture approach for the screw connection of the Nakamura, Dees Jr. and Helmig references.

The Applicant respectfully disagrees with this rejection. Most notably, there is no suggestion as to how to use a tab-and-aperture approach in the Nakamura, Dees Jr. or Helmig references. In fact, using such a tab-and-aperture approach would clearly not be functional and operative for the Nakamura, Dees Jr. or Helmig inventions. If there were so-called internal tabs

and apertures of the type set forth by Araki, Haupt and Everts, the operator of the trimmer could never employ the tabs or reach the head member in the inventions of Nakamura, Dees Jr. or Helmig. More particularly, none of the cited references show retaining clips having retaining jaws that extended through a passageway in the head member to be releasably received by a retaining aperture defined in the mounting member. Again, changing the screw connection of the prime references with the tab-and-aperture connection of the other references would not be obvious in light of the fact that the tab-and-aperture connection could not be accessed by a user, and, thus, once attached, could not easily be disassembled.

It is understood based upon the telephone conference with the Examiner that the Examiner has further taken the position in Paragraph 5 of the Office Action that spring-actuated releasing tabs could be employed in the interior of the trimmer mounting member such as in Anest. While the Applicant respectfully disagrees with this rejection and believes that any such combination is not suggested in the prior art, he has nevertheless amended claim 1 in a manner which clearly distinguishes the present invention from the prior art, either individually or in any combination.

Claim 1 now requires that the retaining jaws extend through the centrally positioned passageway to be received by the retaining apertures so as to be accessed from the exterior surface of the mounting member for release. None of the cited prior art alone, or in any combination, provide such a beneficial feature. Claims 1-10 are thus believed allowable over the prior art.

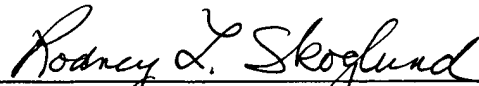
In light of the foregoing amendments and arguments, the Applicant respectfully request that the amendments to the claims be entered and that the Examiner reconsider his rejections and withdraw the same. A Notice of Allowance of claims 1-10 is earnestly solicited. Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

No new claims have been added and therefore no additional fees are believed due at this time. Nonetheless, in the event that a fee required for the filing of this document is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge

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payment of any fees associated with this communication or to credit any overpayment to
Deposit Account No. 18-0987.

Respectfully submitted,

A handwritten signature in cursive script, reading "Rodney L. Skoglund", is written over a horizontal line.

Rodney L. Skoglund, Reg. No. 36,010
Renner, Kenner, Greive, Bobak, Taylor & Weber
First National Tower - Fourth Floor
Akron, Ohio 44308-1456
Telephone: (330) 376-1242
Facsimile: (330) 376-9646

Attorney for Applicant

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